

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

CHARLES LEON MANOUS, Surviving
Spouse and Personal Representative of the
Estate of Carol Ann Manous, deceased

Plaintiff,

v.

MYLAN PHARMACEUTICALS INC.,

Defendant.

Case No. 5:11-cv-01330-R

DEFENDANT'S WITNESS LIST

AND NOW COMES Defendant, Mylan Pharmaceuticals Inc. ("Mylan"), by and through its undersigned counsel, and in accordance with the applicable Scheduling Order (see Docket No. 31),¹ hereby files its Witness List:

No.	Name	Description
1	Robert Palmer, Ph.D. Toxicology Associates, Prof. LLC 2555 South Downing St., Suite 260 Denver, CO 80210	Dr. Palmer is a retained expert witness. Mylan previously provided a description of his anticipated testimony, along with his expert report, both of which are incorporated herein by reference. (<u>See</u> Docket No. 38.)
2	Gordon L. Flynn, Ph.D. 2115 Nature Cove Ct., #202 Ann Arbor, MI 48104	Dr. Flynn is a retained expert witness. Mylan previously provided a description of his anticipated testimony, along with his expert report, both of which are incorporated herein by reference. (<u>See</u> Docket No. 38.)
3	Mark S. Wallace, M.D. Professor of Clinical Anesthesiology Chair, Division of Pain Medicine University of California San Diego Medical Center 9300 Campus Point Dr. La Jolla, CA 92037	Dr. Wallace is a retained expert witness. Mylan previously provided a description of his anticipated testimony, along with his expert report, both of which are incorporated herein by reference. (<u>See</u> Docket No. 38.)

¹ Deadlines relating to service of witness and exhibit lists, and objections thereto, were not affected by the Court's grant of Mylan's Agreed Motion to Amend Scheduling Order. (See Docket No. 40.)

No.	Name	Description
4	Thomas M. Wheeler, M.D. Baylor College of Medicine Department of Pathology & Immunology One Baylor Plaza, Room T203 Houston, TX 77030	Dr. Wheeler is a retained expert witness. Mylan previously provided a description of his anticipated testimony, along with his expert report, both of which are incorporated herein by reference. (<u>See</u> Docket No. 38.)
5	Michael Houghton Vice President, R&D Mylan Technologies Inc. c/o Clem C. Trischler, Esq. Pietragallo Gordon Alfano Bosick & Raspanti, LLP One Oxford Centre, 38 th Floor Pittsburgh, PA 15219	Mr. Houghton is a non-retained expert witness. Mylan provided a description of his anticipated testimony in its Rule 26(a)(2) Expert Disclosures, which are incorporated herein by reference. (<u>See</u> Docket No. 38.)
6	Ronald J. Selders, Pharm.D., MBA Senior Director, PSRM Mylan Pharmaceuticals Inc. c/o Clem C. Trischler, Esq. Pietragallo Gordon Alfano Bosick & Raspanti, LLP One Oxford Centre, 38 th Floor Pittsburgh, PA 15219	Dr. Selders is a non-retained expert witness. Mylan provided a description of his anticipated testimony in its Rule 26(a)(2) Expert Disclosures, which are incorporated herein by reference. (<u>See</u> Docket No. 38.)
7	Marius Tarau, M.D. 9707 W. 145 th Terrace Overland Park, KS 66221	Dr. Tarau is a non-retained expert witness. Mylan provided a description of his anticipated testimony in its Rule 26(a)(2) Expert Disclosures, which are incorporated herein by reference. (<u>See</u> Docket No. 38.)
8	Byron Curtis, Ph.D. Office of the Chief Medical Examiner of Oklahoma 901 N. Stonewall Oklahoma City, OK 73117	Dr. Curtis is a non-retained expert witness. Mylan provided a description of his anticipated testimony in its Rule 26(a)(2) Expert Disclosures, which are incorporated herein by reference. (<u>See</u> Docket No. 38.)
9	Michael J. Schwartz, M.D. 650 Hamlet Lane Yukon, OK 73099	Dr. Schwartz is a non-retained expert witness. Mylan provided a description of his anticipated testimony in its Rule 26(a)(2) Expert Disclosures, which are incorporated herein by reference. (<u>See</u> Docket No. 38.)
10	Officer Toby Garver Newcastle Police Department 860 N. Carr Dr. Newcastle, OK 73065	Officer Garver was involved in the investigation of the death of Carol Ann Manous (“Decedent”) on behalf of the Newcastle Police Department as reflected in Incident Report No. 10-0343-C. It is expected that Officer Garver may testify regarding information and observations made during that investigation.

No.	Name	Description
11	Detective Kevin Morrissey Newcastle Police Department 860 N. Carr Dr. Newcastle, OK 73065	Detective Morrissey was involved in the investigation of the death of Decedent on behalf of the Newcastle Police Department as reflected in Incident Report No. 10-0343-C. It is expected that Detective Morrissey may testify regarding information and observations made during that investigation.
12	Officer Chilles Hutchinson Newcastle Police Department 860 N. Carr Dr. Newcastle, OK 73065	Officer Hutchinson was involved in the investigation of the death of Decedent on behalf of the Newcastle Police Department as reflected in Incident Report No. 10-0343-C. It is expected that Officer Hutchinson may testify regarding information and observations made during that investigation.
13	Fire Chief Kevin Self Newcastle Fire Department 801 N. Carr Dr. Newcastle, OK 73065	Fire Chief Self was involved in the investigation of the death of Decedent on behalf of the Newcastle Fire Department as reflected in Report No. 2010-1000174. It is expected that Fire Chief Self may testify regarding information and observations made during that investigation.
14	Lieutenant Jesse D. Williams Newcastle Fire Department 801 N. Carr Dr. Newcastle, OK 73065	Lieutenant Williams was involved in the investigation of the death of Decedent on behalf of the Newcastle Fire Department as reflected in Report No. 2010-1000174. It is expected that Lieutenant Williams may testify regarding information and observations made during that investigation.
15	Firefighter Jeremy D. Walker Newcastle Fire Department 801 N. Carr Dr. Newcastle, OK 73065	Firefighter Walker was involved in the investigation of the death of Decedent on behalf of the Newcastle Fire Department as reflected in Report No. 2010-1000174. It is expected that Firefighter Walker may testify regarding information and observations made during that investigation.
16	Investigator Greg Turner Office of the Chief Medical Examiner of Oklahoma 901 N. Stonewall Oklahoma City, OK 73117	Investigator Turner was involved in the investigation of the death of Decedent on behalf of the Office of the Chief Medical Examiner as reflected in Report No. 1000968. It is expected that Investigator Turner may testify regarding information and observations made during that investigation.

No.	Name	Description
17	Investigator Homan Office of the Chief Medical Examiner of Oklahoma 901 N. Stonewall Oklahoma City, OK 73117	Investigator Homan was involved in the investigation of the death of Decedent on behalf of the Office of the Chief Medical Examiner as reflected in Report No. 1000968. It is expected that Investigator Homan may testify regarding information and observations made during that investigation.
18	Gabriel Pardo, M.D. 4120 Memorial Road, Suite 108 Oklahoma City, OK 73120	Dr. Pardo provided medical care and treatment to Decedent. It is expected that Dr. Pardo may testify regarding Decedent's medical and prescription history, consistent with the medical records produced in this litigation.
19	Jeanette Padgett, M.D. 4140 W Memorial Road, Suite 502 Oklahoma City, OK 73120	Dr. Padgett provided medical care and treatment to Decedent. It is expected that Dr. Padgett may testify regarding Decedent's medical and prescription history, consistent with the medical records produced in this litigation.
20	Chris Degner, M.D. 10914 Hefner Ponte Drive Oklahoma City, OK 73120	Dr. Degner provided medical care and treatment to Decedent. It is expected that Dr. Degner may testify regarding Decedent's medical and prescription history, consistent with the medical records produced in this litigation.
21	Russell Hanan, Jr., M.D. 400 Northwestern 13 th Street Oklahoma City, OK 73103	Dr. Hanan provided medical care and treatment to Decedent. It is expected that Dr. Hanan may testify regarding Decedent's medical and prescription history, consistent with the medical records produced in this litigation.
22	John P. Belardo, M.D. Kenneth C. Roddy, O.D. Rebecca Poage, O.D. 11308 N. Pennsylvania Avenue Oklahoma City, OK 73120	Drs. Belardo, Roddy, and Poage provided medical care and treatment to Decedent. It is expected that they may testify regarding Decedent's medical and prescription history, consistent with the medical records produced in this litigation.
23	Farhat Husain, M.D. 950 N. Porter, #300 Norman, OK 73071	Dr. Husain provided medical care and treatment to Decedent. It is expected that Dr. Husain may testify regarding Decedent's medical and prescription history, consistent with the medical records produced in this litigation.
24	Daphne Lashbrook, M.D. 500 East Robinson Street, Suite 2400 Norman, OK 73071	Dr. Lashbrook provided medical care and treatment to Decedent. It is expected that Dr. Lashbrook may testify regarding Decedent's medical and prescription history, consistent with the medical records produced in this litigation.

No.	Name	Description
25	Mark Winchester, M.D. R. Turner, M.D. P.O. Box 770 1019 N. Council, Suite 1 Blanchard, OK 73010	Drs. Winchester and Turner provided medical care and treatment to Decedent. It is expected that they may testify regarding Decedent's medical and prescription history, consistent with the medical records produced in this litigation.
26	Charles Leon Manous c/o L. Mark Bonner Norman & Edem, PLLC 127 N.W. 10 th St. Oklahoma City, OK 73103	Mr. Manous is Decedent's surviving husband. It is anticipated that he may offer testimony regarding Decedent's medical history and the circumstances of her death.
27	Jill Bosch Custodian of Records Walgreen Co. PO Box 4039, MS #735 Danville, IL 61834	Ms. Bosch is the Custodian of Records for Walgreen Company, at which Decedent filled prescriptions for her medications. Ms. Bosch is expected to provide authentication testimony regarding the records received from said pharmacy.
28	Custodian of Records CVS Pharmacy One CVS Drive Woonsocket, RI 02895	Medical records received over the course of this litigation suggest Decedent filled prescriptions at CVS Pharmacy. It is expected that the Custodian of Records for CVS Pharmacy may provide authentication testimony regarding the records received from said pharmacy.
29	Custodian of Records Wal-Mart Stores, Inc. 922 West Walnut Suite A, Mailstop #3540 Rogers, AR 72756	Medical records received over the course of this litigation suggest Decedent filled prescriptions at Wal-Mart's Pharmacy. It is expected that the Custodian of Records for Wal-Mart may provide authentication testimony regarding the records received from said pharmacy.
30	Decedent's Medical Providers	Mylan reserves the right to call any additional medical providers who treated Decedent (as well as their custodians of record for purposes of authentication) to testify regarding Decedent's medical and prescription history.
31	All Witnesses Listed by Plaintiff	Mylan reserves the right to call any witness identified by Plaintiff.
32	Custodial Witnesses	To the extent necessary, Mylan reserves the right to call any other custodial witness necessary to authenticate and provide proper foundation for the admissibility of records and documents relevant to the issues presented at trial.
33	Rebuttal Witnesses	Mylan reserves the right to call any witness who may offer testimony in rebuttal to the evidence offered by Plaintiff at trial.

Dated: March 25, 2013

Respectfully submitted,

/s Clem C. Trischler
HALL, ESTILL, HARDWICK, GABLE,
GOLDEN & NELSON, P.C.
Jon Epstein, OBA # 13274
Chase Tower
100 North Broadway, Ste. 2900
Oklahoma City, OK 73102-8865
(405) 553-2828; (405) 553-2855 (F)

and

PIETRAGALLO, GORDON, ALFANO
BOSICK & RASPANTI, LLP
Clem C. Trischler, Esq.
The Thirty-Eighth Floor
One Oxford Centre
Pittsburgh, PA 15219
(412) 263-2000; (412) 261-5295 (F)
Attorneys for Defendant

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **Defendant's Witness List** was electronically transmitted to the Clerk of Court using the ECF System for filing on March 25, 2013. Based on the records currently on file, the Clerk of Court will transmit a Notice of Electronic Filing to the following ECF registrant:

L. Mark Bonner, OBA #14541
NORMAN & EDEM, PLLC
127 N.W. 10th St.
Oklahoma City, OK 73103
lmb@nemw.com
Attorney for Plaintiff

By s/ Clem C. Trischler
Clem C. Trischler